

# Virginia Department of Environmental Quality

## Office of Small Business Assistance

### Multi-Media Environmental Compliance Checklist

*Revised October 1996*

#### ***Have you undertaken a multimedia environmental compliance audit at your facility?***

If not, this checklist will help your company improve the environment and meet your firm's environmental compliance obligations by evaluating the compliance status of its facility. Many corporations and other environmentally regulated organizations have found that developing multimedia compliance auditing programs as part of their normal operating practices helps to improve environmental quality and avoid penalties for non-compliance. Comprehensive audits serve not only the purpose of determining compliance with current environmental regulations, but also of identifying areas where process improvements may be made.

If you conduct a multimedia environmental compliance audit and modify your operations based on the evaluation, your organization may benefit from:

1. Improved environmental performance;
2. Better protection of workers and the community-at-large;
3. Savings in production costs from cutting down raw materials losses, pollution control costs, and generation of wastes; and,
4. Decreased cost exposure by generating less waste for which you are responsible.

This checklist does not seek to address every issue or requirement but rather to highlight major areas of compliance. The checklist has been designed for the internal use of your organization and should not be returned to DEQ. Your answers to the following questions will help you to recognize areas for potential improvement. If you have any questions about your compliance requirements, deadlines, or other items on this checklist, please contact Hassan Vakili for waste issues, John Daniel for air issues, and Larry Lawson for water issues at DEQ's Central Office: (804) 698-4000 or (In-state) toll-free at (800) 592-5482.

#### **AIR COMPLIANCE REQUIREMENTS**

##### **Clean Air Act**

***Regulations promulgated as a result of the 1990 Clean Air Act Amendments have far-reaching effects and require every industrial facility, regardless of size, to evaluate current status with regard to existing federal and Virginia air statutes.***

1. Has your firm obtained effective Virginia operating permits to cover the operations of your facility as appropriate? YES \_\_\_\_ NO \_\_\_\_
2. Have you conducted a recent facility inspection and identified all activities and units that possibly emit air contaminants? YES \_\_\_\_ NO \_\_\_\_
3. Are one or more chemicals listed on EPA's inventory of 188 hazardous air pollutants used in any of your processes? YES \_\_\_\_ NO \_\_\_\_
4. Have you completed a recent inventory of actual and potential emissions of all criteria pollutants and hazardous air pollutants? YES \_\_\_\_ NO \_\_\_\_

#### **WASTE COMPLIANCE REQUIREMENTS**

##### **Resource Conservation and Recovery Act (RCRA)**

***The Resource Conservation and Recovery Act requires "cradle to grave" hazardous waste management. Businesses that generate hazardous waste must comply with varying requirements based on the quantity of waste created or specific management practices for its storage, handling, and disposal.***

**If your facility generates more than 100 kg but less than 1000 kg of hazardous waste per month, do you:**

1. Only accumulate hazardous waste in tanks or containers? YES \_\_\_\_ NO \_\_\_\_
2. Ensure that all containers labeled, as "hazardous waste" are dated, kept closed, are in good condition, and are inspected weekly; or comply with tank marking, inspection, and daily log requirements? YES \_\_\_\_ NO \_\_\_\_
3. Have a Primary Emergency Coordinator designated and emergency information numbers posted next to the telephone? YES \_\_\_\_ NO \_\_\_\_
4. Train your waste management personnel in waste handling and emergency response procedures specific to your facility? YES \_\_\_\_ NO \_\_\_\_
5. Have an EPA identification number and use a Uniform Hazardous Waste Manifest and land disposal restrictions (LDR) form to ship your hazardous wastes, using a permitted transporter, to a permitted hazardous waste facility within 180 days of beginning accumulation? YES \_\_\_\_ NO \_\_\_\_
6. Maintain copies of all waste management-related documents for at least three years? YES \_\_\_\_ NO \_\_\_\_
7. Have a waste minimization plan? YES \_\_\_\_ NO \_\_\_\_

**If your facility generates more than 1000 kg of hazardous waste per month, do you:**

1. Only accumulate hazardous waste in tanks or containers? YES \_\_\_\_ NO \_\_\_\_
2. Ensure that all containers are labeled as "hazardous waste," dated, kept closed, and are in good condition? YES \_\_\_\_ NO \_\_\_\_
3. Conduct annual training for employees who handle waste and maintain written position descriptions with waste handling duties for those employees? YES \_\_\_\_ NO \_\_\_\_
4. Keep written logs of inspections and records for employee training? YES \_\_\_\_ NO \_\_\_\_
5. Have a written contingency plan for emergency response? Has it been distributed to all local officials who may respond to an emergency at your facility? YES \_\_\_\_ NO \_\_\_\_
6. Use a permitted transporter to ship your hazardous waste, accompanied by a Manifest and LDR form, to a permitted hazardous waste disposal facility within 90 days of beginning accumulation? YES \_\_\_\_ NO \_\_\_\_
7. Maintain copies of all waste management-related documents for at least three years? YES \_\_\_\_ NO \_\_\_\_
8. Have a waste minimization plan? YES \_\_\_\_ NO \_\_\_\_

**For RCRA treatment, storage, and disposal (TSD) facilities, in addition to the applicable requirements above, do you:**

1. Have a RCRA permit or interim status for all on-site treatment, storage, or disposal units? YES \_\_\_\_ NO \_\_\_\_
2. Have a written waste analysis plan? YES \_\_\_\_ NO \_\_\_\_
3. Have a written closure plan for all units? YES \_\_\_\_ NO \_\_\_\_
4. Have proper liability insurance and financial assurance documentation for closure? YES \_\_\_\_ NO \_\_\_\_
5. Maintain a facility operating record and all related documentation? YES \_\_\_\_ NO \_\_\_\_
6. Store waste for less than one year, or treat or dispose of waste within one year in accordance with land disposal restrictions criteria? YES \_\_\_\_ NO \_\_\_\_
7. Maintain a groundwater monitoring system for land-based units and related records, as applicable? YES \_\_\_\_ NO \_\_\_\_
8. Have a waste minimization plan? YES \_\_\_\_ NO \_\_\_\_

**Virginia Solid Waste Management Regulations**

1. Is the facility surrounded by barriers to control access and prevent illegal disposal? YES \_\_\_\_ NO \_\_\_\_
2. Are access roads designed and constructed for all weather conditions and internal roads maintained to be passable in all weather conditions? YES \_\_\_\_ NO \_\_\_\_
3. Is an attendant on duty during hours of operation? YES \_\_\_\_ NO \_\_\_\_
4. Is the facility operated by someone licensed by the Department of Professional and Occupational Regulation as a Certified Landfill Operator? YES \_\_\_\_ NO \_\_\_\_
5. Is the operating staff provided access to adequately heated and lighted shelter and essential sanitation facilities personnel? YES \_\_\_\_ NO \_\_\_\_
6. Is the facility equipped with a permanent or mobile means of communication? YES \_\_\_\_ NO \_\_\_\_
7. Are reasonable records maintained on the date, quantity, and origin of waste received? YES \_\_\_\_ NO \_\_\_\_

### Virginia Solid Waste Management Regulations cont.

8. For sanitary landfills, is an inspection plan in place to detect and prevent disposal of hazardous waste and PCBs? YES \_\_\_\_ NO \_\_\_\_
9. Is waste properly compacted at the working face and confined to the smallest area practicable? YES \_\_\_\_ NO \_\_\_\_
10. Is daily/weekly cover consisting of compacted soil or an approved alternative cover placed on all exposed solid waste prior to the end of each operating day (sanitary landfills) or by the end of the week (other types of landfills)? YES \_\_\_\_ NO \_\_\_\_
11. Has intermediate cover been placed and maintained on areas that have not received waste in 30 days? YES \_\_\_\_ NO \_\_\_\_
12. Have areas that have not had waste applied in over one year received a final covering cap? YES \_\_\_\_ NO \_\_\_\_
13. Are disease vectors controlled? YES \_\_\_\_ NO \_\_\_\_
14. Are safety hazards controlled through an active safety program? YES \_\_\_\_ NO \_\_\_\_
15. Are adequate equipment and operators on-site to manage the facility effectively? YES \_\_\_\_ NO \_\_\_\_
16. Is the concentration of methane gas generated by the facility greater than 25% of the lower explosive limit in facility structures? Does the concentration of methane gas migrating from the landfill exceed the lower explosive limit for methane at the facility boundary? If so, has the facility implemented a gas management plan in accordance with Virginia Solid Waste Management Regulation § 5.4? YES \_\_\_\_ NO \_\_\_\_
17. Are adequate surface water run-on and run-off control systems in place and maintained? YES \_\_\_\_ NO \_\_\_\_
18. Is waste being deposited into surface water or groundwater? YES \_\_\_\_ NO \_\_\_\_
19. Is the facility causing a point and/or non-point source discharge of pollutants into waters of the United States or wetlands? If so, is the discharge permitted under a Virginia Pollution Discharge and Elimination System (VPDES) permit? YES \_\_\_\_ NO \_\_\_\_
20. Are litter and blowing paper confined to the refuse holding and operating areas? YES \_\_\_\_ NO \_\_\_\_
21. Do dust and/or odors constitute a nuisance or hazard? YES \_\_\_\_ NO \_\_\_\_
22. Are fugitive dust and mud minimized on main roads and access roads? YES \_\_\_\_ NO \_\_\_\_
23. Does the facility have a written closure plan, or an amended closure plan, placed in the operating record that includes a description of measures and procedures to be employed to close the facility in a manner that minimizes the need for further maintenance; and controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, the post closure escape of uncontrolled leachate, surface runoff, or waste decomposition products to groundwater, surface water, decomposition gas migration, or the atmosphere? YES \_\_\_\_ NO \_\_\_\_
24. Does the closure plan include a schedule for final closure that includes the anticipated date when waste no longer will be received, the date when completion of final closure is anticipated, and intervening milestone dates that will allow the tracking of closure progress? YES \_\_\_\_ NO \_\_\_\_
25. Has the facility's operating plan changed and/or has the design of the facility changed in a manner that affects the facility's closure plan? If yes, has the owner or operator amended the facility's closure plan to reflect those changes? YES \_\_\_\_ NO \_\_\_\_
26. Does the facility accept special waste? If so, does the facility have approval from the DEQ Director to accept the special waste? YES \_\_\_\_ NO \_\_\_\_
27. Are more than 1000 tires stored on site? Are tires split, cut, or shredded before disposal? YES \_\_\_\_ NO \_\_\_\_
28. If drums are accepted, are they empty, properly cleaned, opened at each end, and crushed before disposal? YES \_\_\_\_ NO \_\_\_\_
29. Are white goods accumulated for more than 60 days? YES \_\_\_\_ NO \_\_\_\_
30. Is the facility required to post financial assurance? If so, is the posted financial assurance adequate, and has financial assurance documentation been updated annually? YES \_\_\_\_ NO \_\_\_\_
31. Has the owner/operator filed and maintained an accurate disclosure statement? YES \_\_\_\_ NO \_\_\_\_
32. Has the facility implemented a groundwater monitoring program? YES \_\_\_\_ NO \_\_\_\_
33. Does the facility have at least one up-gradient and three down-gradient monitoring wells? YES \_\_\_\_ NO \_\_\_\_
34. Has the owner/operator, at least annually, evaluated data on static groundwater surface elevations to determine whether the requirements for locating the monitoring wells continue to be satisfied? YES \_\_\_\_ NO \_\_\_\_
35. Has the owner/operator submitted an annual groundwater monitoring report? YES \_\_\_\_ NO \_\_\_\_
36. Does the annual groundwater monitoring report include a potentiometric surface map for groundwater elevation data collected during the past year, results of the groundwater quality assessment program, and rates of contaminant migration? YES \_\_\_\_ NO \_\_\_\_

**Toxic Substances Control Act (TSCA) of 1976  
Polychlorinated Biphenyls (PCBs)**

*The use and disposal of PCBs is regulated under the Toxic Substances Control Act (1976) and corresponding regulations under 40 CFR 761. Under the rules that were published in 1990, manifesting, EPA identification number, recordkeeping, and inspections requirements are in effect, as well as specific rules with respect to PCB storage buildings. The Toxic Substances Control Act states that a manufacturer must notify EPA 90 days before producing or importing a new chemical substance not currently listed on the TSCA inventory. Facilities must notify EPA as well if they employ older chemicals for a significant new use that increases human or environmental exposure.*

1. Does your facility have PCBs or PCB equipment on site? YES \_\_\_\_ NO \_\_\_\_
2. If so, are you meeting all requirements for storage areas, manifesting, EPA ID#, and recordkeeping under TSCA? YES \_\_\_\_ NO \_\_\_\_
3. Before importing or producing a new or new use chemical, does your facility submit the appropriate premanufacture notice (PMN) or significant new use rule form (SNUR) to EPA? YES \_\_\_\_ NO \_\_\_\_

**WATER COMPLIANCE REQUIREMENTS**

**Oil Pollution Act  
Spill Prevention Control and Counter Measure Plans**

*If your facility meets the minimum storage volumes for oil and oil products, you must develop and execute a Spill Prevention Control and Countermeasure Plan.*

**Does your facility store the following amounts of oil or oil products, including petroleum fuels?**

1. More than 660 gallons **aboveground** in a single container? YES \_\_\_\_ NO \_\_\_\_
2. More than 1,320 gallons **aboveground** at the facility? YES \_\_\_\_ NO \_\_\_\_
3. If you answered yes to either question #1 or #2, has your facility developed a written Spill Prevention Control and Countermeasure Plan that has been certified or updated by a registered professional engineer during the past three years? YES \_\_\_\_ NO \_\_\_\_

**Clean Water Act  
National Pollutant Discharge Elimination System (NPDES) Requirements**

*The NPDES program regulates most industrial point-source pollutant discharges to water. Thus, facilities regulated by this program must obtain the necessary EPA or Virginia permit, which details discharge limits and normally mandates the routine monitoring of discharges.*

1. Does your facility discharge any pollutants into the waters of a state or municipal water system? YES \_\_\_\_ NO \_\_\_\_
2. If so, have you secured the appropriate federal, Virginia, and/or local permits or approval for these discharges? YES \_\_\_\_ NO \_\_\_\_

**Clean Water Act  
Stormwater NPDES Requirements**

*Certain industrial facilities are required by federal and Virginia stormwater NPDES permitting regulations to comply with stormwater pollution control regulations.*

1. Has your facility prepared and filed a Notice of Intent (NOI) for General Permit coverage? YES \_\_\_\_ NO \_\_\_\_
2. If so, has your facility developed and implemented a Stormwater Pollution Prevention Plan? YES \_\_\_\_ NO \_\_\_\_

### Oil Pollution Act of 1990

*If you have not developed and put an Oil Pollution Act of 1990 Facility Response Plan actively into place for oil, federal law and regulations mandate that you stop storing or handling this material. Penalties for failing to comply with this provision of the law have amounted to over \$100,000 each.*

1. Does your facility maintain storage for more than one million gallons of oil, or does it store greater than 42,000 gallons and transfer it over water to a vessel? YES \_\_\_\_ NO \_\_\_\_
2. If so, have you completed an EPA Certification of Substantial Harm Determination form for the site? YES \_\_\_\_ NO \_\_\_\_
3. Has your facility completed and implemented a Facility Response Plan? YES \_\_\_\_ NO \_\_\_\_
4. Has your firm trained employees in executing the Facility Response Plan? YES \_\_\_\_ NO \_\_\_\_

### Safe Drinking Water Act of 1974 Underground Injection Control Program

*EPA developed the Underground Injection Control Program under the Safe Drinking Water Act in order to prevent injection wells from contaminating sources of drinking water. Only EPA or DEQ may grant approval to use injection.*

1. Does your site have any underground injection systems, for example: leach fields, dry wells, septic systems, or cesspools that serve more than 20 people each day? YES \_\_\_\_ NO \_\_\_\_
2. If so, have you secured permits for your facility's injection systems? YES \_\_\_\_ NO \_\_\_\_

### Groundwater Management Act of 1992

*Persons who withdraw more than 300,000 gallons of groundwater per month within established groundwater management areas are required to obtain groundwater withdrawal permits and comply with the Virginia Groundwater Withdrawal Regulation. Groundwater withdrawal permits typically limit the amount of groundwater withdrawn, require that all withdrawal points be metered, and necessitate periodic reporting of metered withdrawals.*

1. Does your facility withdraw more than 300,000 gallons of groundwater per month? YES \_\_\_\_ NO \_\_\_\_
2. Is your facility located in one of the following counties: Accomack, Charles City, Isle of Wight, James City, King William, New Kent, Northampton, Prince George, Southampton, Surry, Sussex, or York; or, the area of Chesterfield, Hanover, or Henrico Counties east of Interstate 95; or, the Cities of Chesapeake, Franklin, Hampton, Hopewell, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, or Williamsburg? YES \_\_\_\_ NO \_\_\_\_
3. If you answered both of the preceding questions Ayes, do you have a groundwater withdrawal permit for your facility? YES \_\_\_\_ NO \_\_\_\_

### Underground Storage Tank Regulations

*Owners and operators of underground storage tanks must comply with federal and Virginia regulations involving all aspects of operation. Facilities must meet the following requirements: register underground storage tanks with DEQ, protect tanks from corrosion, secure proper leak detection, ensure appropriate spill response, provide notification of closure, submit required reports, maintain records, and assure financial responsibility.*

1. Are underground storage tanks present at your facility? YES \_\_\_\_ NO \_\_\_\_
2. If so, have you registered these tanks with DEQ? YES \_\_\_\_ NO \_\_\_\_
3. Do the tanks at your facility have protection from corrosion? YES \_\_\_\_ NO \_\_\_\_
4. Has your facility employed the appropriate release detection mechanisms for operating tanks, for example, annual testing of tank tightness with inventory controls? YES \_\_\_\_ NO \_\_\_\_
5. Does your facility have financial responsibility for any necessary corrective actions? YES \_\_\_\_ NO \_\_\_\_
6. Have you notified DEQ before closing or removing tanks? YES \_\_\_\_ NO \_\_\_\_

## **OTHER ENVIRONMENTAL COMPLIANCE REQUIREMENTS**

### **Superfund Amendments and Reauthorization Act (SARA) of 1986, Title III Emergency Planning and Community Right-to-Know (EPCRA) Act**

*EPCRA/SARA Title III mandates that facilities plan for chemical accidents, formulate hazardous substance inventories, track chemical releases, and allow the public to access information on toxic substances that are manufactured, processed, stored, treated, or otherwise used by their firms.*

1. Does your facility have a hazardous chemical present in quantities greater than 10,000 lbs? YES\_\_\_NO\_\_\_
2. Does your facility have an Extremely Hazardous Substance or other hazardous chemical on-site in excess of the substance's threshold planning quantity? YES\_\_\_NO\_\_\_
3. If you answered "yes" to either #1 or #2, do you maintain files of Material Safety Data Sheets (MSDSs) on-site for each chemical? YES\_\_\_NO\_\_\_
3. Have you submitted your MSDSs with the required annual inventory reports to your local emergency planning commission, your local fire department, and the Virginia Emergency Response Council? YES\_\_\_NO\_\_\_
4. Have you submitted a Tier II (Section 312) form if you store on-site, at any time, more than 10,000 pounds of a hazardous material (or an extremely hazardous material above its threshold planning quantity)? YES\_\_\_NO\_\_\_
6. Have you submitted a Form R (Section 313) if you use more than 10,000 pounds of chemicals on the Section 313/Toxics Release Inventory (TRI) List of Lists? YES\_\_\_NO\_\_\_

### **Occupational Safety and Health Administration (OSHA) Regulations**

*Recent OSHA reforms require employers to form safety committees, provide Right-to-Know information, and minimize the risk of blood-borne pathogens for employees in addition to other federal regulations that aim to secure worker health and safety. The latest regulations on confined space entry activities make the "host employer" or owner of a manufacturing facility responsible for determining the levels of hazards and controls needed for safe facility operation.*

1. Has your facility formulated a written safety program that includes policies and procedures for protecting workers from hazards in their work? YES\_\_\_NO\_\_\_
2. Does your facility have a written program and documented training of employees for OSHA's Hazard Communication Standards? YES\_\_\_NO\_\_\_
3. Have routine safety audits or inspections been performed and documented at your facility? YES\_\_\_NO\_\_\_

---

If you have any questions about compliance requirements, deadlines, or other items on this checklist, please contact your DEQ regional office listed below or:

Hassan Vakili (waste) -- (804) 698-4155  
John Daniel (air) -- (804) 698-4311  
Larry Lawson (water) 0-- (804) 698-4108

at DEQ's Central Office: (804) 698-4000 / toll-free (800) 592-5482 for further information.

Southwest Regional Office	-- Mike Overstreet	(540) 676-4800
West Central Regional Office	-- Rick Weeks	(540) 562-6700
South Central Regional Office	-- Tom Henderson	(434) 582-5120
Valley Regional Office	-- Brad Chewning	(540) 574-7800
Northern Virginia Regional Office	-- Greg Clayton	(703) 583-3800
Piedmont Regional Office	-- Gerry Seeley	(804) 527-5020
Tidewater Regional Office	-- Frank Daniel	(757) 518-2000